

REMARKS

Claims 1-9 are pending in this application, of which claims 1 and 6 are independent.

The Abstract has been amended in response to the Examiner's objections.

35 U.S.C. § 103 Rejections

Independent claim 1

Claims 1-5 were rejected as being unpatentable over Mazzacano (EP 0 870 970 A2) in view of Hafeli (US 5,909,854). The Examiner concedes that Mazzacano does not disclose that the gripping element comprises "at least two straight portions arranged such that two straight portions on opposite sides of the connecting piece are parallel, the straight portions forming gripping surfaces for a tool; and a portion which is arranged smooth between adjacent straight portions; whereby the gripping element is formed such that a tool surrounding the gripping element slips before the thread and/or the basic structure of the connecting piece gets damaged." However, the Examiner suggests that Hafeli's self-locking nut could be combined with Mazzacano's adapter to produce the connecting piece of claim 1. We submit, however, that neither Mazzacano nor Hafeli, alone or in any proper combination, discloses or suggests a connecting piece comprising, among other features, at least one gripping element, "whereby the gripping element is formed such that a tool surrounding the gripping element slips before the thread and/or the basic structure of the connecting piece gets damaged," as recited in independent claim 1.

The outer surface of Hafeli's nut is hexagonal in shape and the corners of the nut may be broken to eliminate any sharp edges (col. 2, lines 52-54). However, there is no suggestion that the structure of Hafeli's nut is such that a tool surrounding the nut slips before the thread and/or the basic structure of a connecting piece gets damaged. Indeed, the only indication of the use of a tool with Hafeli's nut is the statement that the nut is "easily turned by human fingers" (col. 2, lines 52-53). We argue that a nut being easily turned by human fingers does not mean or imply that the nut is formed such that a tool surrounding the nut slips before the thread and/or the basic structure of a connecting piece

ges damaged. We thus submit that, even if Mazzacano's adapter were combined with Hafeli's nut, a connecting piece comprising, among other features, a gripping element, "whereby the gripping element is formed such that a tool surrounding the gripping element slips before the thread and/or the basic structure of the connecting piece gets damaged," as recited in independent claim 1, would not be obtained.

For at least this reason, we submit that independent claim 1 is patentable over Mazzacano in view of Hafeli. Since claims 2-5 depend from claim 1, claims 2-5 are patentable for at least the same reason claim 1 is patentable.

Independent claim 6

Claims 6-9 were rejected as being unpatentable over Rafeld (German Patent No. G 89 08 805.0) in view of Hafeli. The Examiner concedes that Rafeld does not disclose that the gripping element comprises "at least two straight portions arranged such that two straight portions on opposite sides of the connecting piece are parallel, the straight portions forming gripping surfaces for a tool; and a portion which is arranged smooth between adjacent straight portions; whereby the gripping element is formed such that a tool surrounding the gripping element slips before the thread of the connecting piece gets damaged." However, the Examiner suggests that Hafeli's self-locking nut could be combined with Rafeld's adapter to produce the connecting piece of claim 6. We submit that neither Rafeld nor Hafeli, alone or in any proper combination, describe or suggest a connecting piece comprising, among other features, at least one gripping element, "whereby the gripping element is formed such that a tool surrounding the gripping element slips before the thread of the connecting piece gets damaged," as recited in independent claim 6. In particular and as discussed above, Hafeli's nut is not formed such that a tool surrounding the nut slips before the thread of a connecting piece gets damaged.

For at least this reason, we submit that independent claim 6 is patentable over Rafeld in view of Hafeli. Since claims 7-9 depend from claim 6, claims 7-9 are patentable for at least the same reason claim 6 is patentable.

Applicant(s) : Jarmo Smahl
Serial No. : 10/530,225
Filed : December 5, 2005
Page : 8 of 9

Attorney Docket No.: 46401-016US1
Client Ref. No.: 2021973US/HU/HER

Conclusion

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

The Petition for Extension of Time fee in the amount of \$130.00 is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 50-4189, referencing Attorney Docket No. 46401-016US1.

Respectfully submitted,

Date: March 20, 2007



Frank R. Occhiuti
Reg. No. 35,306

Customer No. 69713
Occhiuti Rohlicek & Tsao LLP
10 Fawcett Street
Cambridge, MA 02138
Telephone: (617) 500-2501
Facsimile: (617) 500-2499
72261.doc